



Civilian Police Advisory Board Study Committee - Minutes

Date: February 15, 2022

Time: 7:00 PM

Location: Conducted by Remote Participation

Attendance

Karen Bishop	p
Anne Brown	p
Michael Brownstein	p
Elliot Elkin	p
Kerrie Fallon	p
Julie Flaherty*	p
Laura Gitelson	p
Jillian Harvey*	p

Doug Heim*	
Carlos Morales	p
Mona Mohtadi	
Sanjay Newton	p
Bob Radochia	p
Kathy Rogers	p
Clarissa Rowe	
Susan Ryan-Vollmar	p

‡ <Person> attended

* - non-voting member | p - present

Agenda

The meeting was called to order at 7:05PM

1. Approve minutes from prior meetings

Vote: to approve minutes of December 6, 2021 meeting.

Approved Unanimously

2. Updates from committees/constituencies

(Susan Ryan-Vollmar) - LGBTQIA+ Rainbow Commission - Rainbow commission shared the Warrant Article with their mailing list

(Carlos Morales) - Envision Arlington Diversity Task Group - Nothing to report
(Kathy Rogers) - Human Rights Commission - Has kept the commission updated.

(Elliot Elkin/Mona Mohtadi) - Arlington High School - Nothing to Report.

(Michael Brownstein) - Envision Arlington Standing Committee - Nothing to Report

(Anne Brown) - Council on Aging

(Karen Bishop) - Board of Youth Services - BYS is still looking for staff.

(Kerrie Fallon) - Disability Commission - Nothing to Report

Several members asked up information to provide to their committees. The co-chairs indicated they would share all of the information going to the Select Board hearing for members to further distribute to their own committees.

3. Discussion of proposed bylaw language - Susan

(Susan Ryan-Vollmar) summarized conversations that the co-chairs had with various experts about our proposals, both generally and particularly regarding the possible inclusion of a police officer on the commission. They received positive feedback from Anthony Braga, Brian Corr and a professor from Emmanuel College. All had positive things to say about our proposal and were in agreement with the composition the committee recommended.

(Sanjay Newton) reviewed changes to the draft motion since the January meeting. The appointment process was changed, a clause was added to allow removal of members, and the minimum number of members for a quorum was filled in.

(Kathy Rogers) likes the changes to the appointment process.

There were two questions in the chat. One was about the quantum of vote needed to remove a member of the commission. The assumption is that it would be a majority vote. The other was about whether nominating bodies would vote to select a nominee. The understanding is that the nominating bodies would use their own decision making process.

(Laura Gitelson) asked for further discussion or suggestions for the draft motion to present to the Select Board. There weren't any more.

Vote to approve the draft motion for consideration by the Select Board.

See wording at the end of the minutes

Approved (10-1) Bob Radochia voted against.

4. Discussion of next steps - Laura

(Laura Gitelson) reviewed the schedule between now and Town Meeting. The Select Board Warrant Article hearing will be February 23rd. They could approve exactly what we give them, make changes to what we gave them, or vote no action.

Town Meeting starts at the end of April and we may wish to reach out to Town Meeting Members between the Select Board and Town Meeting.

(Sanjay Newton) asks about the final report. We will need to vote on it at our April meeting.

(Susan Ryan-Vollmar) hopes to have a draft final report at our March meeting. She asks that members ask their various committees and commissions to decide whether to formally support our recommendations. The timeline for that support is all the way up to our April meeting.

(Sanjay Newton) mentions that the Select Board may change our recommendations. If so, the committee may wish to formally agree or disagree with their changes.

There was discussion about the timing of Town Meeting elections, and whether major changes are expected.

(Carlos Morales) mentions that long-serving TMMs will be familiar with the creation of our committee, but newer ones will not be.

(Sanjay Newton) mentions that there will also be Precinct meetings in April and it will likely make sense to send someone to those meetings to answer questions that people have. Sanjay also asks if Susan would like help drafting the final report and Kathy Rogers agrees to assist.

5. Adjourn

Vote: to adjourn at 7:40pm

Approved Unanimously

Draft Motion for Consideration by the Select Board:

VOTED: That Title II of the Town Bylaws (“Committees and Commissions”) be and hereby is amended by inserting a new article to provide for the creation of the Arlington Civilian Police Advisory Commission under Article 15 as follows:

Article 15: Arlington Civilian Police Advisory Commission

Section 1. Arlington Civilian Police Advisory Commission Established

There is hereby established an Arlington Civilian Police Advisory Commission, charged with serving as a civilian resource and forum for Arlington residents and visitors and members of the public, the Arlington Police Department, and other appropriate Town personnel.

Section 2. Purpose

The purpose of the Arlington Civilian Police Advisory Commission is to provide an opportunity for increased understanding and trust between the community and the Arlington Police Department, assist members of the public as a resource in the event they have complaints or concerns about policing in Arlington or specific police personnel, and to provide the Arlington Police Department and Town management with a public forum for feedback about police personnel, policies, procedures and data.

Section 3. Commission Composition, Eligibility, Qualification & Terms

A. Appointment of the Commission

The Commission shall consist of nine (9) members, appointed by the Town Manager. To be considered for appointment members shall be nominated by the following public bodies, persons, or community entities:

- 1. One (1) member nominated by the Arlington Human Rights Commission;**
- 2. One (1) member nominated by the LGBTQIA+ Rainbow Commission;**
- 3. One (1) member nominated by the Disability Commission;**
- 4. One (1) member nominated by the Board of Youth Services;**
- 5. One (1) member nominated by the Envision Arlington Diversity Task Group co-chairs;**
- 6. One (1) member nominated by the Council on Aging;**
- 7. One (1) member nominated by the Menotomy Manor Tenants Association;**
and
- 8. Two (2) members nominated by the Select Board**

The Manager shall notify the above “nominating bodies” of vacancies and expiring terms. If any nominating body fails to act upon a notification from the Manager within ninety (90) days or in the event a nominating body is inactive, the Manager may request the Select Board to make a nomination in their place.

B. Eligibility to Serve

- 1. All members of the Commission shall be Arlington Residents and as a total body, shall reflect racial, ethnic, gender, sexual, age, and other forms of diversity in Arlington. Additionally, the Town Manager shall appoint at least one member respectively with experience in following areas:**
 - a. Criminal defense or civil rights relative to police searches, arrests, or detainments;**
 - b. Data Analysis; and**

- ### C. Qualifications for Service

- ### D. Initial & Subsequent Terms

Member terms shall be for three (3) years, except that initial appointment terms of members shall be staggered such that three (3) initial appointees shall serve a one (1) year term; three (3) a two (2) year term; and three (3) a three (3) year term as designated by the Town Manager.

Members shall serve until their successors have completed training and been sworn in to service.

E. Removal of Members

At the request of the Manager, members may be removed for cause by a vote of the nominating body.

Section 3. Administration and Operation

The Arlington Civilian Police Advisory Commission shall not meet or conduct business without the presence of a quorum, which shall require a majority of the members of the Commission at any given time. The Commission shall approve its actions by majority vote of the quorum, but in no event shall action be approved by fewer than 4 members.

Section 4. Duties and Responsibilities

A. General Duty

It shall be the duty of the Arlington Civilian Police Advisory Commission to serve as qualified advisors to the general public, the Arlington Police Department, and other Town staff with respect to policing in Arlington from a civilian perspective. The Commission shall serve as a technical resource for persons wishing to file specific complaints against or commendations of Arlington Police Department personnel, a forum for both positive and negative feedback about police conduct and policy in Arlington, and collaboratively engage the Arlington Police Department in its development or revision of police policies.

B. Specific Responsibilities

To fulfill its duties, the Commission shall specifically be charged with:

- 1. Establishing a process for community members to provide information about police interactions, both positive and negative, to the commission anonymously and non-anonymously;**
- 2. Guiding community members through the civilian complaint or commendation process, including:**

- a. Providing education to a community member about options for filing complaints and commendations about police conduct;
 - b. Providing complaint and commendation forms to a community member;
 - c. Connecting a community member with appropriate town officials and committees;
 - d. Accompanying a community member to meetings
 - e. Following up with both the APD and the community member on any resultant investigation;
 - f. Providing periodic updates to a community member;
 - g. Collecting information about a community member's satisfaction with complaint processes'
 - h. However, at no point in time shall Commission members individually or as a public body provide legal advice or representation, mental health counseling, or social services advocacy to community members engaging commission members for the purpose of filing complaints;
3. Working with the Arlington Police Department to regularly publish and analyze data which can offer insight into the quality and effectiveness of the department, especially in its interactions with the public, including but not limited to:
- a. Complaints, including their nature, status and disposition;
 - b. Police use of force incidents, including all use of firearms;
 - c. Vehicle pursuits and traffic collisions;
 - d. Injuries and deaths in custody;
 - e. Stops, searches, citations and arrests, including demographic data;
 - f. Civil lawsuits and other claims brought against the town or department
 - g. Database of training; and
 - h. Database of awards and commendations;
4. Regularly reviewing Arlington Police Department complaint, investigation, and discipline policies and procedures, comparing them with the latest practices in other communities locally and nationally;
5. Regularly reviewing other Arlington Police Department policies and procedures, especially new or changing policies, and make recommendations to the Chief of Police, Town Manager, and the public;
6. Regularly reviewing the by-law creating this commission and make recommendations to Town Meeting;

7. **Providing a yearly report to Town Meeting covering the work and findings of the commission as well as priorities for the upcoming year; and**
8. **Providing education to the public about policing and the Arlington Police Department, their options for filing complaints and commendations, the complaint process and the various data they are charged with analyzing.**

Section 5. Effective Date

Following Town Meeting approval of this bylaw, this Title shall take effect upon the approval by the Attorney General of the Commonwealth and compliance with bylaw advertising and notice requirements.